

Serial No.: 10/541,777  
Art Unit: 2621

PU030011  
Customer No. 24498

### Remarks/Arguments

Applicants have reviewed the Office Action mailed August 18, 2010 and have amended claims 1, 4-9 and 14-15 for clarification purposes. The claim amendments do not introduce any new matter. Claims 1-15 remain pending in the application. Applicants request reconsideration of the above-identified application in view of the following remarks.

Claims 1, 4, 6 and 7 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,621,467 to Chien et al.

Applicants have amended independent claims 1 and 6 to clarify their invention. In accordance with these amendments, applicants' claims now recite the step of examining for pixel data errors in sub-macroblocks within a macroblock. Applicants' claims also recite the step of deriving at least one intra-prediction mode for the sub-macroblock with the pixel data errors using neighboring sub-macroblocks.

Applicants' steps of examining for pixel errors and deriving at least one intra-prediction mode contrast with the teachings of Chien et al which only disclose the concept of using neighboring macroblocks. This conclusion finds support in portion of Chien cited by the examiner at Col. 4, lines 42-44 which states..."The interpolation in this instance is directional, according to the direction of the dominant edge or edges determined in the neighboring image areas." Chien et al. provides no disclosure or teaching of partitioning macroblock into sub-macroblocks. Thus, one of skill in the art cannot read the use of "neighboring image areas" to mean anything but a neighboring macroblock, and not some partition of the macroblock as recited in applicants' claims. Thus, applicants' claimed feature of using sub-macroblocks and deriving the intra-prediction mode from sub-macroblocks neighboring the sub-macroblock with the pixel data errors finds no support or suggestion in the Chien et al. patent. In fact, as recited in applicants' claims, the neighboring sub-macroblock can reside within the same macroblock as the sub-macroblock containing the pixel data errors. This cannot occur according to the teachings of Chien et al. and therefore applicants' amended claims patentably distinguish over the art of record.

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Independent claim 6 recite language analogous to claim 1 and further adds the feature of at least one interpolation filter based on the derived intra-prediction mode which, as stated above, utilizes neighboring sub-macroblocks to the sub-macroblock with the pixel data errors. In view of this very clear distinction between the teachings of Chient et al and applicants' claimed invention, applicants respectfully request withdrawal of the rejection of claim 6.

Claims 2-3, 5, 8, and 9-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chien et al in view of Richardson et al.

As discussed above, Chien et al. fails to disclose partitioning macroblock into sub-macroblocks. The Richardson et al. paper discusses the various intra-prediction modes, but like Chien et al, Richardson et al. fails to disclose partitioning macroblock into sub-macroblocks. Thus, the combination of Chient et al. and Richardson et al. would not render obvious claims 1 and 6, nor claim 2-3, 5, 8, and 9-15 that depend therefrom. Therefore, applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 2-3, 5, 8, and 9-15.

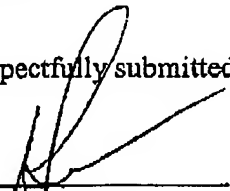
#### Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. 07-0832.

Respectfully submitted,

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